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IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

- - - - - - - - - - - - - - - x  
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In re: : Chapter 11  
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CIRCUIT CITY STORES, INC., : Case No. 08-35653 (KRH)  
et al., :  
:  
Debtors. : Jointly Administered  
- - - - - - - - - - - - - - - x

**OMNIBUS MOTION FOR ORDER SHORTENING NOTICE PERIOD OF  
MOTIONS TO ASSUME, ASSIGN AND SELL CERTAIN LEASES AND  
MOTION TO APPROVE STIPULATION WITH CHASE BANK USA, N.A.**

The debtors and debtors in possession in the  
above-captioned jointly administered cases (collectively,

the "Debtors" or "Circuit City")<sup>1</sup> hereby move this Court (the "Motion to Shorten Notice") for an order under section 102 of the title 11 of the United States Code (the "Bankruptcy Code") and Rules 2002, 9006 and 9007 of the Federal Rules of Bankruptcy Procedures (the "Bankruptcy Rules") approving shortened notice for the following pleadings filed by the Debtors on December 12, 2008:

- (i) Debtors' Motion for Order Under 11 U.S.C. §§ 105, 363 and 365 and Fed. R. Bankr. P. 6004 and 6006 Authorizing and Approving
  - (A) Assumption and Assignment of Certain Unexpired Nonresidential Real Property Leases and (B) Sale of Certain Nonresidential Real Property Leases Free and Clear Of Liens, Claims and Encumbrances to Gurnee Real Estate Owners LLC;
- (ii) Debtors' Motion for Order Under 11 U.S.C. §§ 105, 363 and 365 and Fed. R. Bankr. P. 6004 and 6006 Authorizing and Approving
  - (A) Assumption and Assignment of Certain

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<sup>1</sup> The Debtors and the last four digits of their respective taxpayer identification numbers are as follows: Circuit City Stores, Inc. (3875), Circuit City Stores West Coast, Inc. (0785), InterTAN, Inc. (0875), Ventoux International, Inc. (1838), Circuit City Purchasing Company, LLC (5170), CC Aviation, LLC (0841), CC Distribution Company of Virginia, Inc. (2821), Circuit City Properties, LLC (3353), Kinzer Technology, LLC (2157), Abbott Advertising Agency, Inc. (4659), Patapsco Designs, Inc.(6796), Sky Venture Corp. (0311), Prahs, Inc.(n/a), XSStuff, LLC (9263), Mayland MN, LLC (6116), Courcheval, LLC (n/a), Orbyx Electronics, LLC (3360), and Circuit City Stores PR, LLC (5512). The address for Circuit City Stores West Coast, Inc. is 9250 Sheridan Boulevard, Westminster, Colorado 80031. For all other Debtors, the address is 9950 Mayland Drive, Richmond, Virginia 23233.

Unexpired Nonresidential Real Property Leases and (B) Sale of Certain Nonresidential Real Property Leases Free and Clear Of Liens, Claims and Encumbrances to Bond C.C.I. Delaware Business Trust or its Nominee;

- (iii) Debtors' Motion for Order Under 11 U.S.C. §§ 105, 363 and 365 and Fed. R. Bankr. P. 6004 and 6006 Authorizing and Approving (A) Assumption and Assignment of Certain Unexpired Nonresidential Real Property Leases and (B) Sale of Certain Nonresidential Real Property Leases Free and Clear Of Liens, Claims and Encumbrances to the Designee of Circuit Distribution - Illinois Partnership; and
- (iv) Motion for Order Approving Stipulation by and among the Debtors and Chase Bank USA, National Association Pursuant to Bankruptcy Code Section 105 and Bankruptcy Rule 9019

(collectively, the "Motions"). In support of the Motion to Shorten Notice, the Debtors respectfully represent:

**JURISDICTION AND VENUE**

1. The Court has jurisdiction to consider the Motion to Shorten Notice under 28 U.S.C. §§ 157 and 1334. This is a core proceeding under 28 U.S.C. § 157(b). Venue of these cases and the Motion to Shorten Notice in this district is proper under 28 U.S.C. §§ 1408 and 1409.

2. The predicate for the relief requested here are Bankruptcy Code section 102 and Bankruptcy Rules 2002, 9006 and 9007.

**BACKGROUND**

3. On November 10, 2008 (the "Petition Date"), the Debtors filed voluntary petitions in this Court for relief under chapter 11 of the Bankruptcy Code.

4. The Debtors continue to manage and operate their businesses as debtors in possession pursuant to Bankruptcy Code sections 1107 and 1108.

5. On November 12, 2008, the Office of the United States Trustee appointed a statutory committee of unsecured creditors (the "Creditors' Committee"). To date, no trustee or examiner has been appointed in these chapter 11 cases.

**RELIEF REQUESTED**

6. By this Motion to Shorten Notice, the Debtors request entry of an order shortening the notice period for the Motions so that they can be heard, considered and ruled upon by the Court at the omnibus hearing on December 22, 2008.

**BASIS FOR RELIEF**

7. Concurrently herewith, the Debtors filed their Motions, asking the Court to authorize and approve the assumption and assignment of certain nonresidential real property leases free and clear of liens, claims and encumbrances, and approve a settlement pursuant to Bankruptcy Rule 9019 with Chase Bank USA, National Association, all as described more fully in the Motions.

8. The Debtors believe it is in the best interests of the Debtors' estates, creditors and other parties in interest for the Motions to be heard at the hearing currently scheduled for December 22, 2008 at 10:00 a.m. The Debtors are seeking authorization and approval of the Motions as soon as possible in order to maximize the benefits to the Debtors and their estates. The Debtors are concerned that delaying the Motions beyond the December 22, 2008 hearing could significantly diminish the return to the Debtors' estates.

9. For the reasons set forth above, the Debtors believe cause exists to hear the Motions on December 22, 2008 at 10:00 a.m. (Eastern time).

**WAIVER OF MEMORANDUM OF LAW**

10. Pursuant to Local Bankruptcy Rule 9013-1(G), and because there are no novel issues of law presented in the Motion to Shorten Notice and all applicable authority is set forth in the Motion, the Debtors request that the requirement that all motions be accompanied by a separate memorandum of law be waived.

**NO PRIOR REQUEST**

11. No previous request for the relief sought herein has been made to this Court or any other court.

**CONCLUSION**

WHEREFORE, the Debtors respectfully request that the Court enter an order, substantially in the form of the proposed order annexed hereto, granting the relief requested in the Motion to Shorten Notice and such other and further relief as may be just and proper.

Dated: December 12, 2008      SKADDEN, ARPS, SLATE, MEAGHER & Richmond, Virginia FLOM, LLP  
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